



## A BILL FOR AN ORDINANCE

RELATING TO TRANSIT.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. The purpose of this ordinance is to select the city's locally preferred alternative to comply with the process that will be followed in implementing Honolulu's mass transit project. The council has received the Alternatives Analysis Report for the Honolulu High-Capacity Transit Corridor Project ("AA"), dated November 1, 2006. The council believes that, in its role as policymakers for the city, a fixed guideway system is the best selection for the long-term needs and demands of our growing island population. Therefore, the council approves a fixed guideway system as the locally preferred alternative, which will allow the city administration to move forward on the locally preferred alternative.

### PART I. Selection of the Locally Preferred Alternative

#### SECTION 2. **Selection of the locally preferred alternative.**

The locally preferred alternative for the Honolulu High-Capacity Transit Corridor Project shall be a fixed guideway system between Kapolei and the University of Hawaii at Manoa, starting at or near the intersection of Kapolei Parkway and Kalaeloa Boulevard, with an alignment as follows:

- (1) Section I – Saratoga Avenue/North-South Road and Kamokila Boulevard, as determined by the city administration before or during preliminary engineering, to Farrington Highway;
- (2) Section II – Farrington Highway/Kamehameha Highway;
- (3) Section III – Salt Lake Boulevard and Aolele Street as determined by the city administration before or during preliminary engineering;
- (4) Section IV – Dillingham Boulevard; and
- (5) Section V – Nimitz Highway/Halekauwila Street/Kapiolani Boulevard to the University of Hawaii at Manoa, with the Waikiki branch.

The "sections" refer to the sections in figures 2-3 through 2-7 of the Alternatives Analysis Report.



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SECTION 3. The city administration is authorized to proceed with preparation of an environmental impact statement for the locally preferred alternative (LPA), and with planning and preliminary engineering for that portion of the LPA (including any portion of any section of the LPA listed in section 2 above) that may be constructed within financial constraints (capital cost and any interest to finance that capital cost shall be paid entirely from general excise and use tax surcharge revenues, interest earned on the revenues, and any federal, state, or private revenues); provided that this portion shall constitute a minimum operable segment (MOS) for purposes of Federal New Starts funding eligibility; and provided further that the proposed MOS shall be subject to Council approval by resolution.

SECTION 4. Section 6-60.1, ROH, is amended to read as follows:

**"Sec. 6-60.1 Establishment of surcharge—Conditions.**

Pursuant to Section 2 of Act 247, Session Laws of Hawaii, Regular Session of 2005, codified as Section 46-16.8 of the Hawaii Revised Statutes, there is hereby established a one-half percent general excise and use tax surcharge to be used for purposes of funding the operating and capital costs of public transportation within the City and County of Honolulu as specified herein. The excise and use tax surcharge shall be levied beginning January 1, 2007. Prior to the tax surcharge monies being expended as the local match for federal funds, the following shall occur:

- (1) The council has approved by [resolution] ordinance a locally preferred alternative following an Alternatives Analysis [and Draft EIS]; and
- (2) The council has received from the director of transportation services an operational, financial, development and route plan for the locally preferred alternative; and
- (3) There is a commitment of federal funds, whether for planning, land acquisition or construction, to further the locally preferred alternative."

PART II. Alignment, Stations, and Base Yard  
of the Locally Preferred Alternative

SECTION 5. Section 4-8.3, Revised Ordinances of Honolulu 1990, is amended to read as follows:



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**"Sec. 4-8.3 Types of public infrastructure to be shown on public infrastructure map.**

- (a) Symbols for the following types of public improvement projects shall be shown on the public infrastructure maps, provided they meet the applicability criteria specified in Section 4-8.4:
- (1) Corporation yard;
  - (2) Desalination plant;
  - (3) Drainageway (open channel);
  - (4) Energy generation facility;
  - (5) Fire station;
  - (6) Government building;
  - (7) Golf course (municipal);
  - (8) Electrical transmission line and substation (above 46kV but less than 138kV);
  - (9) Park;
  - (10) Police station;
  - (11) Parking facility;
  - (12) Water reservoir;
  - (13) Sewage treatment plant;
  - (14) Solid waste facility;
  - (15) [Transit corridor;] Fixed guideway system alignment, stations, and base yard of the locally preferred alternative;
  - (16) Major collector or arterial roadway;



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- (17) Sewage pump station; and
- (18) Potable water well.
- (b) The alignment of linear facilities, and the location of project boundaries, shall be considered approximate and conceptual."

### PART III. Technology of the Locally Preferred Alternative

#### SECTION 6. **Reservation of right to select technology.**

The council reserves the right to select the technology of the fixed guideway system for the locally preferred alternative. If the council exercises the right, the council shall select the technology through subsequent ordinance passed on third reading by the council before the city administration issues a public notice soliciting proposals or inviting bids for work that includes design of the system.

The city administration shall give the council at least 90 days' notice before issuing the first public notice soliciting proposals or inviting bids for work that includes design of the fixed guideway system.

### PART IV. Specifications of Request for Proposals Or Invitation for Bids

#### SECTION 7. **Approval of specifications of requests for proposals or invitation for bids.**

The city administration shall submit to the council the specifications in each proposed request for proposals or invitation for bids for work that includes the planning, design, or construction of any portion of the locally preferred alternative before issuing the request or invitation. The city administration shall not issue the request for proposals or invitation for bids until after the specifications are approved by the council.

### PART V. General

SECTION 8. Ordinance material to be repealed is bracketed; new material is underscored. When revising, compiling or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the revisor of ordinances need not include the brackets, bracketed material, or the underscoring.



CITY COUNCIL  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ORDINANCE 07 - 001

BILL 79 (2006), CD2, FD2

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SECTION 9. This ordinance shall take effect upon its approval.

INTRODUCED BY:

Donovan Dela Cruz

Ann Kobayashi

Romy M. Cachola

Charles Dlou

Barbara Marshall

Todd Apo

DATE OF INTRODUCTION:

October 19, 2006  
Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this 6th day of JANUARY, 2007

Mufi Hannemann  
MUFU HANNEMANN, Mayor  
City and County of Honolulu

CITY COUNCIL  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII  
CERTIFICATE

ORDINANCE 07-001

BILL 79 (2006)

Introduced: 10/19/06 By: DONOVAN DELA CRUZ

Committee: TRANSPORTATION &  
PLANNING

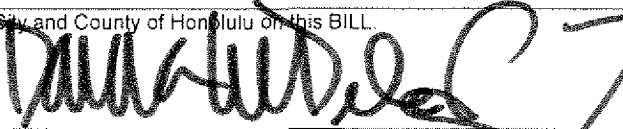
Title: A BILL FOR AN ORDINANCE RELATING TO TRANSIT.

Links: [BILL 79 \(2006\)](#)  
[BILL 79 \(2006\), CD1](#)  
[BILL 79 \(2006\), CD2](#)  
[BILL 79 \(1006\), CD2, FD2 \(FINAL #2\)](#)  
[CR-469](#)  
[CR-508](#)

|                             |             |  |
|-----------------------------|-------------|--|
| COUNCIL                     | 10/25/06    | BILL PASSED FIRST READING AND REFERRED TO COMMITTEE ON TRANSPORTATION AND PLANNING.  |
|                             | APO Y       | CACHOLA Y DELA CRUZ Y DJOU Y GARCIA Y  |
|                             | KOBAYASHI Y | MARSHALL Y OKINO Y TAM Y   |
| TRANSPORTATION AND PLANNING | 11/02/06    | CR-469 - BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON SECOND READING AND SCHEDULING OF A PUBLIC HEARING AS AMENDED IN CD1 FORM.   |
|                             |             | COMMUNITY OUTREACH MEETINGS TO REVIEW THE ALTERNATIVE ANALYSIS (AA) REPORT ON THE HONOLULU HIGH CAPACITY TRANSIT PROJECT (VARIOUS LOCATIONS): 11/13/06; 11/16/06; 11/17/06; 11/20/06; 11/21/06; 11/22/06; 11/27/06.                          |
| PUBLISH                     | 11/27/06    | PUBLIC HEARING NOTICE PUBLISHED IN THE HONOLULU STAR-BULLETIN.   |
| COUNCIL/PUBLIC HEARING      | 12/7/06     | BILL PASSED SECOND READING, AS AMENDED (CD1), CR-469 ADOPTED, PUBLIC HEARING CLOSED AND REFERRED TO TRANSPORTATION AND PLANNING COMMITTEE. (BILL 79, CD1)  |
|                             |             | (NOTE: MOTION TO AMEND FOLLOWING BILLS FAILED: (1) BILL 79, PROPOSED CD1, FD1 (VERSION A); AND (2) BILL 79, PROPOSED CD1, FD1 (VERSION B).   |
|                             | APO Y       | CACHOLA Y DELA CRUZ Y DJOU N GARCIA Y  |
|                             | KOBAYASHI Y | MARSHALL N OKINO Y TAM Y   |
| TASK FORCE                  | 12/8/06     | BRIEFING BY THE TRANSIT ADVISORY TASK FORCE ON THE COUNCIL'S 12/7/06 PUBLIC HEARING RE BILL 79, CD1.   |
| PUBLISH                     | 12/13/06    | SECOND READING NOTICE PUBLISHED IN THE HONOLULU STAR-BULLETIN.   |
| TRANSPORTATION AND PLANNING | 12/14/06    | CR-508 - BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON THIRD READING AS AMENDED IN CD2 FORM.   |
| COUNCIL                     | 12/22/06    | CR-508 ADOPTED. BILL 79, CD2, FURTHER AMENDED ON THE COUNCIL FLOOR TO CD2, FD1, HOWEVER, BILL 79, CD2, FD1, FURTHER AMENDED TO BILL 79, CD2, FD2 (FINAL #2), AND SUBSEQUENTLY PASSED THIRD READING, AS AMENDED (BILL 79, CD2, FD2 (FINAL #2) |
|                             |             | (NOTE: BILL 79 (2006), PROPOSED CD2, FD1 (NORTH-SOUTH BRANCH, NON-LPA COMMITMENT) WAS ALSO CONSIDERED AND SUBSEQUENTLY WITHDRAWN)  |
|                             | APO Y       | CACHOLA Y DELA CRUZ Y DJOU N GARCIA Y  |
|                             | KOBAYASHI Y | MARSHALL N OKINO Y TAM Y   |

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this BILL.

  
DENISE C. DE COSTA, CITY CLERK

  
DONOVAN M. DELA CRUZ, CHAIR AND PRESIDING OFFICER

07-001

AR00055307